

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY, and MANULIFE
INSURANCE COMPANY (f/k/a
INVESTORS PARTNER LIFE
INSURANCE COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

CIVIL ACTION NO. 05-11150-DPW

**PLAINTIFFS' MOTION FOR
IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local Rule 7.2, Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a/ Investors Partner Life Insurance Company) (collectively, "John Hancock" or "Plaintiffs") respectfully move this Court for leave to file the following documents under seal until further Order of the Court:

1. Plaintiffs' Memorandum in Opposition to Defendant's Motion in Limine to Exclude Expert Testimony of Mr. Alan Friedman (the "Memorandum");
2. Affidavit of Jack M. Kloeber, Jr., Ph.D., and supporting exhibits (the "Kloeber Affidavit");
3. Affidavit of Everett P. Harry, and supporting exhibits (the "Harry Affidavit"); and

4. Affidavit of Stacy L. Blasberg, and supporting exhibits (the “Blasberg Affidavit”).

As grounds for this motion, John Hancock states as follows:

1. This action arises out of a certain Research Funding Agreement, (the “Agreement”) dated March 13, 2001 between John Hancock and Abbott Laboratories (“Abbott”). The Agreement is, by its terms, confidential. These terms may not be disclosed without the prior consent of the non-disclosing party. Throughout this action, as well as in the related action captioned *John Hancock Life Ins. v. Abbott Labs.*, No. Civ.A. 03-12501-DPW, 2005 WL 2323166 (D. Mass. Sept. 16, 2005) (“*Hancock I*”), the Agreement has not been publicly disclosed.

2. The Memorandum, Kloeber Affidavit, Harry Affidavit, and Blasberg Affidavit rely upon and discuss the confidential content of the Agreement.

3. The Memorandum and Blasberg Affidavit identified above also contain confidential information of Abbott and John Hancock that has been designated “Confidential” or “Highly Confidential ” pursuant to the Stipulated Protective Order executed by the parties and entered by this Court on July 15, 2005.

4. Based on the foregoing facts, and in compliance with Local Rule 7.1(A)(2), John Hancock conferred with counsel for Abbott on October 19, 2007, regarding whether the Memorandum, Kloeber Affidavit, Harry Affidavit, and Blasberg Affidavit should be filed under seal. As a result, Abbott has requested that Hancock file these papers under seal, and Hancock does not oppose this request.

WHEREFORE, John Hancock respectfully requests that the Memorandum, Kloeber Affidavit, Harry Affidavit, and Blasberg Affidavit be impounded until further Order of the Court. In addition, John Hancock respectfully requests that the Court accept these documents

provisionally under Seal pending the Court's ruling on this Motion. Upon termination of the impoundment period, John Hancock will retrieve and take custody of the Memorandum and Blasberg Affidavit.

Respectfully submitted,

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY AND
MANULIFE INSURANCE COMPANY

By their attorneys,

/s/ Stacy L. Blasberg

Brian A. Davis (BBO No. 546462)
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Date: October 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and that paper copies will be sent to those non-registered participants (if any) on October 19, 2007.

/s/ Stacy L. Blasberg
Stacy L. Blasberg